

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

UNITED STATES OF AMERICA EX	§	
REL. JOSHUA HARMAN,	§	
	§	
PLAINTIFF/Relator,	§	CIVIL ACTION NO. 2:12-CV-00089-JRG
	§	
v.	§	
	§	
TRINITY INDUSTRIES, INC., and	§	
TRINITY HIGHWAY PRODUCTS, LLC	§	
	§	
DEFENDANTS.	§	

**PLAINTIFF’S MOTION TO SEAL EXHIBITS ATTACHED TO HIS MOTION TO  
REMOVE CONFIDENTIALITY DESIGNATIONS FROM CERTAIN DISCOVERY**

**COME NOW**, Plaintiff/Relator Joshua Harman (“Plaintiff” or “Harman”), by and through his counsel of record, and respectfully moves the Court to seal exhibits attached to his Supplemental Motion to Remove Confidentiality Designations From Certain Discovery.

1. On September 17, 2013, this Court approved the Agreed Protective Order consented to by all parties. The Agreed Protective Order allows parties to designate as either “Confidential” or “Highly Confidential – Attorneys’ Eyes Only”, under certain specified conditions.

2. As long as such documents are assigned a designation of either “Confidential” or “Highly Confidential – Attorneys’ Eyes Only”, such documents may not be publicly filed or disseminated.

3. In accordance with the Agreed Protective Order, Plaintiff requests that the Court agree to file under seal exhibits B-E attached to his Supplemental Motion to Remove Confidentiality Designations From Certain Discovery.

4. Defendants have consented to Plaintiff filing under seal all materials previously designated by Defendants as either “Confidential” or “Attorneys Eyes Only.” All of the materials sought to be filed under seal in this motion have been marked as either “Confidential” or “Attorneys Eyes Only” by Defendants.

5. Given the nature of this Motion, Plaintiff requests that the requirement of a separate memorandum in support be waived and further pray for expedited consideration.

6. A proposed order granting this motion is attached.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests an Order sealing from public view exhibits B-E attached to Plaintiff’s Supplemental Motion to Remove Confidentiality Designations From Certain Discovery, dated February 4, 2015.

Plaintiff prays for such other general or equitable relief as the Court deems proper.

Dated: February 4, 2015

Respectfully submitted,

/s/ George F. Carpinello

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was served on all parties by the Court's CM/ECF system on the following parties on February 4, 2015:

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/s/ George F. Carpinello  
*Counsel for Plaintiff United States of America*  
*ex rel. Joshua Harman*

**CERTIFICATE OF CONFERENCE**

I certify that I have complied with the meet and confer requirement in Local Rule CV-7(h) and have received consent from Defendants' counsel on September 23, 2014 for the relief sought by this motion.

/s/ George F. Carpinello